

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
Amendment of Parts 73 and 74 of the)	
Commission's Rules to Establish Rules for)	MB Docket No. 03-185
Digital Low Power Television and Television)	
Translator Stations)	
Expanding the Economic and Innovation)	
Opportunities of Spectrum Through Incentive)	GN Docket No. 12-268
Auctions)	
Amendment of Part 15 of the Commission's)	
Rules to Eliminate the Analog Tuner)	ET Docket No. 14-175
Requirement)	

To: The Commission

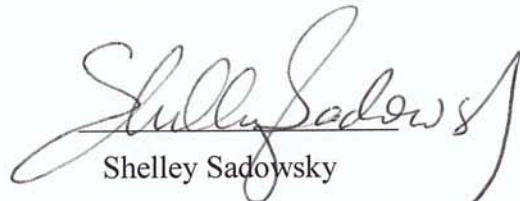
**MOTION FOR ACCEPTANCE OF
LATE-FILED JOINT REPLY COMMENTS**

Island Broadcasting LLC ("Island"), licensee of Station WNYZ-LP, New York, New York, and Richard D. Bogner ("Bogner"), Island's engineering consultant and former member, by their undersigned counsel, respectfully request acceptance of Joint Reply Comments, tendered herewith one day after the February 2, 2015 deadline for reply comments in the above-referenced proceedings.

The attached Joint Reply Comments were timely prepared by Island and Bogner, in final form as of Friday, January 30, 2015, and provided to undersigned counsel for filing. Due to an unfortunate oversight, however, undersigned counsel did not electronically file the Joint Reply Comments by yesterday's due date.

For the most part, the Joint Reply Comments respond to specific technical arguments presented in Comments filed by National Public Radio ("NPR") herein. It is highly unlikely that many, if any, other reply comments filed in these proceedings responded to NPR's technical arguments. Thus, in the interest of having a complete record, it is respectfully submitted that the Joint Reply Comments, filed only one day late and through no delay of the Island and Bogner, should be considered. Finally, if the Joint Reply Comments are not treated as timely filed Reply Comments, at a minimum, the Joint Reply Comments should be treated as a permissible *ex parte* communication by Island and Bogner.

Respectfully submitted,

A handwritten signature in cursive script, reading "Shelley Sadowsky", written in black ink.

Shelley Sadowsky
Counsel to Island Broadcasting LLC
and Richard D. Bogner

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February 3, 2015

**Before the
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To: The Commission

JOINT REPLY COMMENTS

Island Broadcasting LLC ("Island"), licensee of Station WNYZ-LP, New York, New York, and Richard D. Bogner ("Bogner"), Island's engineering consultant and former member, hereby jointly submit Reply Comments in the above-referenced proceedings.¹ Specifically, Island and Bogner ("I/B") limit their reply to certain technical matters addressed in the Comments of National Public Radio ("NPR") filed herein on January 12, 2015.

NPR contends that there is a high probability that an ancillary FM service will interfere with a station's digital TV service (NPR Comments, p. 8), based on its interpretative reading of Comments filed in this proceeding by Linley Gumm and Charles Rhodes ("G&R") on January 12, 2015. G&R's Comments provided the results of tests they conducted on a number of DTV

¹ Island and Bogner filed Joint Comments herein on January 9, 2015.

receivers when FM modulation carriers were added to the DTV signal. Contrary to NPR's generalized assertion, however, independent testing by I/B, as reported in I/B's Comments, demonstrates that interference from the ancillary FM service to the DTV service will not occur if the DTV/FM ratio is strictly limited to 7db, as IB recommended. (IB Comments, pp. 3-4). Indeed, G&R's tests reflected a similar finding. See G&R Comments, Figure 2, p.4.

While relying on G&R's test results for its generalization about interference, NPR also devalues the results of G&R's testing, arguing that standard FM radio stations operate with 75 KHz peak deviation, while G&R's testing was done with 25 KHz. (NPR Comments, p. 8). However, as noted in I/B's Comments, I/B's tests were conducted with both 25 KHz and 75 KHz, and no measurable difference was found in results. (I/B Comments, p.2) Importantly, this finding was considered by I/B in arriving at the recommended 7db DTV/FM ratio referenced above.

NPR also speculates that G&R's testing "likely" understates the severity of the trade-off between FM reception and DTV-host interference, contending that real world conditions "are likely" to be less favorable than test conditions. (NPR Comments, p.9). I/B submits that the very careful testing conducted by I/B and by G&R, and the use of the same transmitting antenna for both DTV and FM negate NPR's argument. NPR also claims that FM reception would be too noisy for quality monophonic service and would effectively rule out stereo. (NPR Comments, p. 9) But, I/B's tests demonstrate that NPR's negative speculation is unwarranted given that no significant noise was observed when inexpensive FM receivers were tested at full volume with 75 KHz peak deviation and FM 10 db below DTV.

In sum, NPR has not offered the Commission any substantiated technical arguments to support its position that digital LPTV station operating on Channel 6 should be prohibited from operating ancillary FM services. Indeed, NPR's self-serving bias against this ancillary service is completely counter to the public interest. The fact is, LPTV stations that choose to add analog FM ancillary service will still offer DTV service, thereby making full and better use of the 6 MHz assigned spectrum. And, they can provide such DTV and ancillary FM service without creating the harmful interference that NPR asserts would result, provided that the FCC sets limits on the DTV/FM ratio, as discussed above.

Finally, I/B notes that in New York City, the market in which Island has been operating LPTV stations since 1983, it is abundantly clear that the ancillary FM service that analog WNYZ-LP has provided is highly valued and would remain highly valued by listeners when the station converts to DTV operations. Indeed, the only Korean-language radio programming currently available to a very large Korean-American population in the New York market is provided by the ancillary FM service of WNYZ-LP. The Commission has not been provided with any public interest basis for eliminating the station's ability to continue to provide such service after conversion to digital operations.

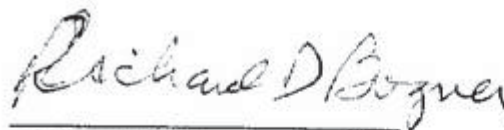
Respectfully submitted,

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Respectfully submitted,



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February 2, 2015